

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 2, 1858.—Ordered to be printed.

Mr. FOSTER submitted the following

REPORT.

*The Committee on Pensions, to whom was referred the petition of John Wentworth, praying that his present pension may be made to commence from the date of his discharge from the service, report :*

It appears that the petitioner served in the navy of the United States during the last war with Great Britain ; that he was a seaman on board the frigate Constitution at the time of the capture of the Guerriere and Java ; that he was wounded in the battle with the latter frigate ; that on the 18th of May, 1848, he was granted a pension of \$36 per annum for his disability, and on the 23d day of September, 1851, his pension was increased to \$54 per annum, on account of the increase of his disability.

The prayer of the petition is, that the payment of the pension may be made to commence from the 2d of April, 1813, the date of his discharge from the service.

The present law of the United States, and the practice of the department, are to allow the payment of pensions to commence from the time of completing the testimony. Granting the prayer of this petition will be a departure from the existing law, and until Congress is prepared to repeal it your committee are of opinion that it should be enforced. They therefore recommend that the prayer of the petition be denied.

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